

Message

From: Culleen, Lawrence E. [Lawrence.Culleen@arnoldporter.com]
Sent: 1/16/2020 5:11:11 PM
To: Dekleva, Lynn [dekleva.lynn@epa.gov]
Subject: As Discussed Consent Order Template Draft
Attachments: PAG Consortium Jan. 2020 Edits to EPA_s Dec. 2019 Draft_(US_166798536_21).DOCX

Lynn --

Here is the preliminary, informal draft of the Consent Order template we discussed today.

We appreciate the opportunity to share this with you informally as a show of our continued good faith and diligence in striving to reach agreement on the final language in the template for the Consent Orders and tiered testing component. As I hope you will conclude, the changes we propose are minimal; the document also includes comments in the margins containing some requests for clarifications which I understand can be addressed readily. I would be willing to talk through the few edits and requests for clarification with you, or your designee, if it would be helpful.

I plan to report in our meeting with the Consortium members later today that the Agency intends to extend the time limited LVEs through the end of January to enable the team at EPA to incorporate these changes in the company-specific Consent Orders and provide adequate time for the PMN submitters to receive and review their individualized Orders and obtain their respective internal management approvals/signatures.

Call me if you have any questions; I will advise when I have an updated draft. We expect to have our proposed PAG Category definition by the end of the week and I will submit it at that time.

Larry

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From: Culleen, Lawrence E.
Sent: Wednesday, January 15, 2020 5:42 PM
To: Dekleva, Lynn <dekleva.lynn@epa.gov>
Subject: RE: Consent Order Status

Lynn --

I just left you a lengthy v-mail concerning the Consent Order template and other matters. Feel free to give me a call after you have listened to it.

In sum, we expect to have our very limited comments and question on the Consent Order template back to you by the end of the day tomorrow rather than Friday. We will have the other materials to you by the end of the week.

I am hopeful we can speak soon to articulate a path forward given the time limitations currently in place on the LVEs.

Larry

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From: Cullen, Lawrence E. <Lawrence.Cullen@arnoldporter.com>
Sent: Wednesday, January 15, 2020 3:07 PM
To: Dekleva, Lynn <dekleva.lynn@epa.gov>
Subject: RE: Consent Order Status

Lynn --

I am writing to let you know I have calls today and tomorrow on with the trade association and with the PAG Consortium members to discuss each of the several of the items and documents we intend to submit by the end of this week, if not sooner.

I plan to give you a call later today or tomorrow morning to bring you up to date.

Larry

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From: Cullen, Lawrence E.
Sent: Tuesday, January 7, 2020 5:49 PM
To: 'Dekleva, Lynn' <dekleva.lynn@epa.gov>
Subject: RE: Consent Order Status

Lynn --

Thanks for reaching out. We are working on all three and making progress. Our intention is to provide a proposed, modified definition at the same time we provide any suggested further edits to the draft Consent Order. We have a follow up meeting to discuss both with the Consortium late this week. I will pass along our suggestions as soon as we have them in a form ready to share. I need to check on this, but if the revised model is available now (or sooner), I will certainly pass along.

Thanks for your patience.

Larry

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From: Dekleva, Lynn <dekleva.lynn@epa.gov>

Sent: Tuesday, January 7, 2020 5:22 PM

To: Culleen, Lawrence E. <Lawrence.Culleen@arnoldporter.com>

Subject: Consent Order Status

External E-mail

Larry,

I am writing to get an update on the status of the Consent Order boilerplate review, the definition for the category, and the updated model.

Lynn Dekleva, Ph.D.

Associate Deputy Assistant Administrator for New Chemicals

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